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| 09/908,927 | 07/19/2001 | James E. Fox | RSW920010105US1 | 1041 |

7590 03/04/2005
Gerald R. Woods
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EXAMINER

FOWLKES, ANDRE R

| ART UNIT | PAPER NUMBER |
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2122

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Am

Office Action Summary

Application No.

09/908,927

Applicant(s)

FOX ET AL.

Examiner

Andre R. Fowlkes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>11/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed 9/29/04.

Double Patenting

2. The double patenting rejection is withdrawn in view of the terminal disclaimer filed 9/29/04.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-8 & 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over London Shrader et al. (Shrader), U.S. Patent no. 5,870,611 in view of Bowman-Amuah, U.S. Patent no. 6,550,057.

As per claim 1, Shrader discloses:

-defining an object model representing a plurality of components of a software installation package, wherein each component comprises a plurality of objects (col. 2:36-40, "The empty installation plan object is first created from a template of a prototypical installation plan object. Next, from a workspace container object,

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containing potential child objects of the installation plan object, objects are selected for inclusion in the installation plan object”),

- instantiating at least one version of each of the objects, wherein a plurality of versions are instantiated for at least one of the objects, (col. 6:21-22, “creating instances of those objects”),

- each of the versions of a selected one of the at least one objects reflecting differing requesters (col. 6:51-62, “(different versions of selected objects are instantiated to reflect the differing access rights by using) the customized file container, (which holds a plurality of file objects), ... to create a unique (version of the objects) ... for particular workstations (i.e. requesters”),

- storing the instantiated objects in a directory, wherein the versions of the objects are associated with the differing requesters (col. 9:47-48, “the directory path where the client workstation can access their (instantiated objects)”, and col. 6:51-62, “(different versions of selected objects are instantiated to reflect the differing requesters by using) the customized file container, (which holds a plurality of file objects), ... to create a unique (version of the objects) ... for particular workstations (i.e. requesters”).

- determining, upon receiving a request from a particular requester for a selected software installation package, the requester’s identity; and retrieving the selected software installation package from the directory (col. 6:51-62, “(different versions of selected objects are retrieved to reflect the differing requesters by using) the customized file container, (which holds a plurality of file objects), ... to create a unique (version of the objects) ... for particular workstations (i.e. requesters)”, and col. 4:66-5:1,

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"These processing systems operate as a client or server workstation depending upon whether it is requesting or supplying (software installation) services"),

- wherein the retrieved package is dynamically assembled from the stored objects based upon the determined requester's identity (fig. 2A and associated text, (e.g. col. 6:23-62), shows an installation package (network installation product, 50) that is assembled from objects (application 1 & 2), based upon the requester's identity).

Shrader doesn't explicitly disclose that:

- each of the versions of a selected one of the at least one objects reflecting differing requester's access rights which are appropriate for potential requesters of the package;

- the versions of the objects are associated with the differing requester's access rights;

- determining, upon receiving a request from a particular requester for a selected software installation package, the requester's access rights which are appropriate for the particular requester;

- wherein the retrieved package is dynamically assembled from the stored objects based upon the determined requester's access rights.

However, Bowman-Amuah, in an analogous environment, discloses that:

- each of the versions of a selected one of the at least one objects reflecting differing requester's access rights which are appropriate for potential requesters

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of the package (col. 54:27-30, "The security component should provide the functionality for validating the users resource access privileges based on the role of the user");

- the versions of the objects are associated with the differing **requester's access rights** (col. 54:27-30, "The security component should provide the functionality for validating the users resource access privileges based on the role of the user (i.e. different versions of objects for differing requester's access rights)");

- **determining**, upon receiving a request from a particular requester for a selected software installation package, **the requester's access rights which are appropriate for the particular requester** (col. 54:27-30, "The security component should provide the functionality for validating the users resource access privileges based on the role of the user");

- wherein the retrieved package is dynamically assembled from the stored objects based upon the determined **requester's access rights** (col. 54:27-30, "The security component should provide the functionality for validating the users resource access privileges based on the role of the user").

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Bowman-Amuah into the system of Shrader to have:

- each of the versions of a selected one of the at least one objects reflecting differing **requester's access rights which are appropriate for potential requesters of the package**;

- the versions of the objects are associated with the differing **requester's access rights;**

- **determining**, upon receiving a request from a particular requester for a selected software installation package, **the requester's access rights which are appropriate for the particular requester;**

- wherein the retrieved package is dynamically assembled from the stored objects based upon the determined **requester's access rights.**

The modification would have been obvious because one of ordinary skill in the art would have wanted to ensure that proprietary and other high security software packages and content are distributed only to authorized users (Bowman-Amuah col. 53:54-54-31).

As per claim 2, the rejection of claim 1 is incorporated and further, Shrader discloses **the step of populating the instantiated objects with attributes and methods to describe a particular software installation package**, (col. 5:64-65, "each object has certain data attributes and methods which operate on the data").

As per claim 4, the rejection of claim 1 is incorporated and further, Shrader discloses **authenticating the particular requester, in response to receiving the request; and determining the requester's access rights and retrieving the selected software installation package only if the authentication succeeds**, (col. 5:2-6, "the invention runs on a plurality of IBM compatible workstations interconnected

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by the IBM OS/2 LAN server architecture (determines access rights by authentication prior to retrieving the selected software package) including LAN server, the LAN CID utility and the network installation application in which the present invention is implemented").

As per claim 5, the rejection of claim 1 is incorporated and further, Shrader discloses **installing the retrieved software installation package** (col. 1:21, "installing software on the network").

As per claim 6, the rejection of claim 1 is incorporated and further, Shrader doesn't explicitly disclose that **the instantiated objects are JavaBeans**.

However, Bowman-Amuah, in an analogous environment, discloses that **the instantiated objects are JavaBeans** (col. 108:1-7, "(instantiating objects using) the Javabeans API will make it easier to create reusable components in the Java language").

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Bowman-Amuah into the system of Shrader to have JavaBeans as the instantiated objects. The modification would have been obvious because one of ordinary skill in the art would want to efficiently create applications using reusable components.

As per claim 7, the rejection of claim 1 is incorporated and further, Shrader doesn't explicitly disclose that **the directory is a Lightweight Directory Access Protocol ("LDAP") directory**.

However, Bowman-Amuah, in an analogous environment, discloses that **the directory is a Lightweight Directory Access Protocol ("LDAP") directory** (col. 65:22-25, "Lightweight Directory Access Protocol (LDAP) a de facto standard for accessing X.500-compatible directory information in an Internet/intranet environment").

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Bowman-Amuah into the system of Shrader to use LDAP directories. The modification would have been obvious because one of ordinary skill in the art would want to create an application that can be used by that maximum number of people by using standard protocols, such as LDAP.

As per claim 8, this is a system version of the claimed method discussed above, in claim 1, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see the Shrader/ Bowman-Amuah combination, (Shrader, col. 2:26-58 & Bowman-Amuah, col. 54:27-30).

As per claim 10, this is a product version of the claimed method discussed above, in claim 1, wherein all claimed limitations have also been addressed and/or cited

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as set forth above. For example, see the Shrader/ Bowman-Amuah combination, (Shrader, col. 2:26-58 & Bowman-Amuah, col. 54:27-30).

Response to Arguments

5. Applicant's arguments with respect to the now amended claims have been considered but are moot, as the Shrader/ Bowman-Amuah combination also discloses such now claimed subject matter as applied in the art rejection, above.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571) 272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ARF



TUAN DAM
SUPERVISORY PATENT EXAMINER